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SUBJECT: TRIPARTITE PLUS SUB-COMMISSION STRENGTHENS FUSION
CELL AND PROPOSES NAMES FOR SANCTIONS

REF: BUJUMBURA 389

This is sensitive but unclassified. Please protect accordingly.

¶1. Summary: The U.S.-facilitated Tripartite Plus Sub-Commission on Security and Defense met in Kigali May 26-27 to discuss ways to enhance the operational effectiveness of the Tripartite Fusion Cell (TFC) and to develop a consolidated "most wanted" list to submit to the Tripartite Plus Council of Ministers for sanctioning by member states and possibly also by the African Union (AU) and the UN. Sub-Commission members agreed to improve the quality and quantity of intelligence to the fusion cell, outlined standard operating procedures for operationalizing "actionable" intelligence, and developed initial lists of rebel leaders to be sanctioned. The ministers will next meet informally on the margins of the AU Summit in Banjul in July and possibly in a formal ministerial in New York in September on the margins of UNGA. End summary.

¶2. The Government of Rwanda hosted a U.S.-facilitated meeting of the Tripartite Plus Sub-Commission on Security and Defense in Kigali May 26-27 to follow up on agreements made during the April 20-21 Bujumbura ministerial (reftel). This was the 14th meeting of the Tripartite Plus Joint Commission and second meeting of the Sub-Commission. Representing the four Tripartite Plus member states were: Amb. Richard Sezibera, Special Presidential Envoy for the Great Lakes Region (Rwanda); Col. Godefroid Niyombare, Deputy Army Chief of Staff (Burundi); Mbadu Khonde, Diplomatic Office of the Presidency (DRC); and LTC Octavius Butuuro, Deputy Chief of Military Intelligence (Uganda). Amb. Don Yamamoto, Deputy Assistant Secretary for African Affairs (U.S.), facilitated the meeting in conjunction with host representative Amb. Sezibera. MONUC representatives LTC Patrick Van Hees and LTC Mike Burke, and ONUB representatives Col. Waldemar Vrey, LTC Wiese, and Col. Mzinjana participated as observers.

¶3. As mandated by the Bujumbura ministerial in April, the Sub-Commission focused on improving intelligence processing by the fusion cell, developing standard operating procedures for acting on intelligence, developing a timeline for operational effectiveness, and drawing up a list of rebel leaders for the Tripartite Plus Council of Ministers to approve and submit to the AU and UN for possible sanctioning.

Opening Remarks

¶4. In opening remarks, Amb. Sezibera, head of the Rwandan delegation hosting the meeting, noted that the Tripartite Plus Commission has come a long way since its formation but that there is more work to be done to strengthen regional cooperation and to reduce the threat of armed rebel groups. He welcomed the continued support of the U.S., and reiterated the Commission's decision to hold accountable armed groups that failed to voluntarily disarm by the September 30, 2005 deadline by recommending imposition of sanctions to restrict their activities.

¶5. Amb. Yamamoto thanked the delegations for their commitment to work together to address the fundamental problems that affect all their countries: countering the threat of rebel forces, enhancing diplomatic relations, and promoting and developing economic integration. He commended the delegations for their exemplary commitment, which has served as a model for other bodies. He pointed out that everything that has been accomplished has been the collective effort of each of the member countries and that the U.S., as facilitator, is their "service provider." He reaffirmed U.S. commitment to continue its support.

Improved Regional Relations

¶6. Rwandan Foreign Affairs Minister Charles Murigande commended the delegates for their participation and commitment to addressing issues that are critical to the region. He observed that problems in the region, which are primarily security-related, affect diplomatic relations among the states and that improved regional security would lead automatically to improved diplomatic relations.

¶7. He expressed Rwanda's appreciation to the U.S. for creating the Tripartite Plus forum and commented that Amb. Yamamoto's frequent visits to the region demonstrate the commitment of the U.S. to the process, which has already yielded tangible results. For example, relations between Rwanda and the DRC, which were "extremely bad," are now "very cordial." The two countries have agreed to exchange envoys and they no longer exchange sharp words at international meetings. (Note: DRC officials have repeatedly said that a formal exchange of ambassadors would not be possible until after the July 30 presidential elections. End note.) He reiterated the GOR's commitment to the process and assured that it will attempt to implement whatever decisions are made.

Tripartite Fusion Cell

¶8. Parties reaffirmed their commitment to making the U.S.-facilitated fusion cell fully operational and integrated with national intelligence operations, and adopted a timeline with measurable milestones for attaining operational effectiveness by August 30, 2006. They agreed to provide intelligence to the TFC, enhance the quality and quantity of data for "fused" actionable intelligence to more effectively respond to the regional threat of armed groups, and form a military planning component within the cell to coordinate immediate and long-term responses to actionable intelligence.

¶9. They requested that the U.S. play a more active role in providing requisite logistical and material support for the processing and analysis of intelligence, assist the TFC in evaluating intelligence, and serve as a neutral advisor in resolving disagreements among member states and deconflicting competing intelligence. In addition, parties requested that MONUC, within its mandate, play a more active role in sharing intelligence and providing logistical support to the TFC, and formally respond to the TFC's earlier request for assistance.

¶10. MONUC observer LTC Mike Burke reaffirmed MONUC's

commitment to the fusion cell, stressing that sharing of intelligence and other joint efforts to remove the threat of negative forces are "of paramount importance to regional security." He noted, however, that no guidelines have yet been developed to instruct MONUC on its responsibilities. He pledged to work with UNDPKO to hasten development of guidelines, but noted that if the UN Security Council changes MONUC's Chapter VII mandate to a Chapter VI mandate after the July DRC elections, MONUC's ability to undertake joint operations would be hampered.

¶11. Col. Timothy Rainey, U.S. Senior Military Advisor for African Affairs, emphasized that the role of the fusion cell is to receive, process, analyze, and disseminate intelligence, not to collect information.

Most Wanted Lists

¶12. Parties reaffirmed their commitment to impose sanctions, as outlined in "The Way Forward" signed by the Council of Ministers in Uganda in October 2005, on armed groups and their leaders and supporters who have not met the September 30, 2005 deadline for voluntary disarmament. These measures include an assets freeze and restrictions on travel, fundraising, political discussions and negotiations, and restricted access to the media and visas.

¶13. As a follow-up to their October 2005 commitment, each member state developed and submitted to the facilitator an initial list of "most wanted" political and military leaders of negative forces. These lists will form the basis of a consolidated, focused list of individuals to be subject to sanctions within the four member states, and possibly also by the AU and UN.

¶14. Parties agreed to submit to the facilitator requests for clarification on the provisional lists that they failed to resolve among themselves. The USG agreed to harmonize the provisional lists and to submit a consolidated list to the Tripartite Plus Council of Ministers prior to the AU Summit in Banjul in July for approval and submission to the

AU for sanctioning. (Note: if approved, this would be the first time the AU has imposed sanctions. End note.) Amb. Yamamoto noted that imposing sanctions would be the first step, and that the second step -- determining the consequences when member countries fail to enforce the sanctions -- would be discussed at the next ministerial meeting. The USG agreed to provide proposed procedures for arrest and prosecution, sample legislation and extradition treaties, ideas on steps for improved diplomatic relations, and to explore the possibility of using the fusion cell as a mechanism for tracking sanctioned individuals.

Final Outcome Documents

¶15. The two-day Kigali meeting concluded with the signing by delegation heads of a Summary of Conclusions, with three attachments (attachment 1, modifications to the Security Experts' recommendations of January 30, 2006, on the TFC communications architecture and operational coordination; attachment 2, procedures for operationalizing actionable intelligence; and attachment 3, Tripartite fusion cell actions and milestones). The ministers will next meet informally on the margins of the AU Summit in Banjul in July and possibly in a formal ministerial in New York in September on the margins of UNGA.

Comment

¶16. The commitment of all four Tripartite Plus member states, and facilitation by the U.S., to improve cooperation toward eliminating the common threat of negative forces ensured the success of this meeting. While negotiations were at times prolonged and difficult, especially during discussions of specific individuals for sanctioning, the Sub-Commission succeeded in meeting its overall objectives. The evident willingness of the parties to cooperate on regional

security, despite past differences, sends a strong, positive message for the future of conflict prevention and resolution in the Great Lakes region. With greater operational effectiveness, the Tripartite fusion cell will serve as a critical mechanism in ensuring regional peace and stability.

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